

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES
AS PASSED BY THE
Ninety-second and Ninety-third
Legislatures
OF THE
STATE OF MAINE

From April 22, 1945 to May 14, 1947
AND MISCELLANEOUS STATE PAPERS
From May 25, 1945 to May 14, 1947

Published by the Revisor of Statutes in accordance
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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Ninety-third Legislature

1947

Chapter 320

AN ACT Regulating Lights on Motor Vehicles.

Be it enacted by the People of the State of Maine, as follows:

R. S., c. 19, § 116, amended. Section 116 of chapter 19 of the revised statutes is hereby amended to read as follows:

'Sec. 116. Regulation of spot, fog or auxiliary lights. There shall not be used on or in connection with any motor vehicle a spot light, so called, or more than 2 fog or auxiliary lights, so called, the rays from which shine more than 2 feet above the road at a distance of 30 feet from the vehicle, except that such spot light may be used for the purpose of reading signs, and as an auxiliary light in cases of necessity when the other lights required by law fail to operate. The fog or auxiliary light shall emit a white or amber beam of light. This section shall not apply to ambulances, police and fire department vehicles, vehicles engaged in highway maintenance, wreckers and public utility emergency service vehicles.'

Effective August 13, 1947

Chapter 321

AN ACT Relating to Issuance of Capias Execution in Divorce Cases.

Be it enacted by the People of the State of Maine, as follows:

R. S., c. 153, § 63, amended. Section 63 of chapter 153 of the revised statutes is hereby amended to read as follows:

'Sec. 63. Payment of alimony. Pending a petition to enforce a decree of alimony, or a decree for payment of money instead thereof, or for the support of minor children, or a decree for support pending libel, or for payment of counsel fees, or for the alteration of an existing decree for the custody or support of minor children, the court may order the husband or father to pay to the ~~clerk of the court~~ wife or mother, or to counsel for the wife or mother, sufficient money for the prosecution or defense thereof, upon default of which order execution may issue as in actions of tort. Petition for such execution may be signed by the person seeking the same or his attorney of record in such divorce action. At the time of making a final decree in any divorce action, the court may order that execution and such reasonable attorney's fee as the court shall order shall issue against the body of any party to the action, charged with the payment of support of minor children or payments of alimony or a specific sum in lieu thereof, upon

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default of any payment, and the court shall order that the clerk of said court shall issue such execution upon the filing with the clerk an affidavit signed by the party to whom such payments are to be made, setting forth the amount in arrears under said decree. When the husband or father is committed to jail on execution issued upon decree of alimony, or for payment of money instead thereof, or for the support of his minor children, or for support pending libel, or for payment of counsel fees, the county having jurisdiction of the process shall bear the expense of his support and he may be discharged from imprisonment by payment of the execution and all costs and expenses of his commitment and support, and he shall not be entitled to relief therefrom under the provisions of chapter 107; provided, however, that he may petition the court issuing such execution for relief, whereupon a judge of such court after due notice to the wife or mother, and hearing thereon, may order his discharge from imprisonment on such terms and conditions as justice may require.

Any person who knowingly files a false affidavit alleging default of payments of support of minor children or payments of alimony or specific sum in lieu thereof, for the purpose of obtaining a *capias* execution as provided in this section, shall be deemed to have committed the crime of perjury and shall be subject to prosecution and imprisonment, upon conviction, in the same manner as provided in the statutes relating to the crime of perjury.'

Effective August 13, 1947

Chapter 322

AN ACT to Provide Liquor Licenses for Taverns.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., c. 57, § 1, amended. Section 1 of chapter 57 of the revised statutes is hereby amended by adding after the 13th paragraph thereof defining "Restaurant", a new paragraph to read as follows:

' "Tavern" shall mean a reputable place for men only operated by responsible persons where no food is sold and no business is carried on except the sale of malt liquor at a bar. There shall be no table, chairs or other seating accommodations and all persons served shall remain standing at the bar.'

Sec. 1-A. R. S., c. 57, § 2, sub-§ III-A, additional. Section 2 of chapter 57 of the revised statutes is hereby amended by adding thereto a new subsection to be numbered III-A, to read as follows: